IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 25-cr-00162-CNS

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. ADEPOJU BABATUNDE SALAKO,

Defendant.

PLEA AGREEMENT AND STATEMENT OF FACTS RELEVANT TO SENTENCING

The United States of America, by and through Craig G. Fansler, Assistant United States Attorney for the United States Attorney's Office for the District of Colorado (the "government"), and the defendant, Adepoju Babatunde Salako ("Salako" or the "defendant"), personally and by counsel, Michael Becker, submit the following Plea Agreement pursuant to D.C.COLO.LCrR 11.1. This agreement binds only the Criminal Division of the United States Attorney's Office for the District of Colorado and the defendant.

I. AGREEMENT

COURT
EXHIBIT
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A. Defendant's Plea of Guilty:

The defendant agrees:

(1) to plead guilty to counts 1 and 8 of the Indictment charging violations of 18 U.S.C. § 1349 (conspiracy to commit wire fraud) and 18 U.S.C. § 1956(h) (conspiracy to commit money laundering);

(2) to waive certain appellate and collateral attack rights, as explained in

detail below;

(3) to pay restitution to the victims of this offense in an amount of at least $5,781,631.50, with the final amount to be determined at sentencing. In advance of the sentencing hearing, the parties intend to confer and endeavor to reach an agreement as to the amount of restitution;

(4) to plead guilty to counts 1-7 of a criminal information in the District of Alaska charging wire fraud in violation of 18 U.S.C. § 1343;

(5) not to contest forfeiture, as more fully described below.

B. The Government's Obligations:

This agreement is made pursuant to Fed.R.Crim.P.11(c)(1)(A) and (B). The government agrees not to bring other charges against the defendant based on information currently known to the United States Attorney's Office, District of Colorado concerning the wire fraud and money laundering conspiracies described below and to dismiss counts 2-7 and 9-12 of the Indictment with prejudice at the time of sentencing. In a separate plea agreement in the District of Alaska, the government agrees to recommend that any sentence in that district run concurrent to the sentence imposed in this case in the District of Colorado. Should the plea of guilty be vacated on the motion of the defendant, the government may, in its sole discretion, file a superseding indictment.

Provided the defendant does not engage in prohibited conduct or otherwise implicate U.S.S.G. §§ 3C1.1 and 3E1.1, cmt. n.4 between the guilty plea and sentencing in this case, the government agrees that the defendant should receive a two-level reduction for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1(a) and agrees to file a motion requesting that the defendant receive a one-level reduction for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1(b). The government agrees to recommend a term of imprisonment not greater than the low-end of the applicable guideline range calculated by the court at sentencing.

C. Defendant's Waiver of Appeal:

The defendant is aware that 18 U.S.C. § 3742 affords the right to appeal the sentence, including the manner in which that sentence is determined. Understanding this, and in exchange for the concessions made by the government in this agreement, the defendant knowingly and voluntarily waives the right to appeal any matter in connection with this prosecution, conviction, or sentence (including the restitution order), unless it meets one of the following criteria:

(1) the sentence exceeds the maximum sentence provided in the statutes of conviction, 18 U.S.C. §§ 1349 and 1956;

(2) the sentence exceeds the top end of the advisory guideline range from the Sentencing Guidelines that applies for the defendant's criminal history (as determined by the district court) at a total offense level of ~~28~~; or
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(3) the government appeals the sentence imposed.

If the first criterion applies, the defendant may appeal only the issue of how his sentence exceeds the statutory maximum sentence. But if one of the latter two criteria apply, the defendant may appeal on any ground that is properly available in an appeal that follows a guilty plea.

The defendant also knowingly and voluntarily waives the right to challenge this prosecution, conviction, or sentence (including the restitution order) in any collateral attack (including, but not limited to, a motion brought under 28 U.S.C. § 2255). This waiver provision does not prevent the defendant from seeking relief otherwise available in a collateral attack on any of the following grounds:

(1) the defendant should receive the benefit of an explicitly retroactive change in the sentencing guidelines or sentencing statute;

(2) the defendant was deprived of the effective assistance of counsel; or

(3) the defendant was prejudiced by prosecutorial misconduct.

The United States agrees not to argue a procedural bar to a prosecutorial misconduct claim raised in a § 2255 petition based on the failure of the defendant to raise that issue on direct appeal.

The defendant also waives the right to appeal any sentence imposed below or within the Guideline range upon a revocation of supervised release in this case number, except where the defendant unsuccessfully objects to the grade of violation applied by the court during the district court revocation proceedings. In that event, this waiver does not apply and the defendant may appeal the sentence imposed upon a revocation of supervised release, even if that sentence falls below or within the guideline range calculated by the court.

The defendant also waives the right to appeal the denial of any motion filed under 18 U.S.C. § 3582(c)(1)(A) where such denial rests in any part upon the court's determination that a sentence reduction is not warranted under the factors set forth in 18 U.S.C. § 3553(a). This waiver does not apply to an appeal of a denied § 3582(c)(1)(A)(i) motion where the district court, in denying the motion on § 3553(a) grounds, failed to consider the facts allegedly establishing extraordinary and compelling circumstances as part of its § 3553(a) analysis.

D. Forfeiture of Assets:

The defendant admits the forfeiture allegations. The defendant further agrees to forfeit to the United States immediately and voluntarily any and all assets and property, or portions thereof, subject to forfeiture, pursuant to 18 U.S.C. § 982(a)(1) whether in the possession or control of the United States, the defendant, the defendant's nominees, or elsewhere. The assets to be forfeited specifically include but are not limited to a money judgment in the amount of the proceeds obtained by the conspiracy. The defendant agrees and consents to the forfeiture of these assets pursuant to any federal criminal, civil, and/or administrative forfeiture action. The defendant understands that pursuant to 18 U.S.C. § 983, the seizing agency is required to send notice in non-judicial civil forfeiture matters. Having been advised of said rights regarding notice, the defendant hereby knowingly and voluntarily waives his rights to notice being sent within the time frames in 18 U.S.C. § 983 and to having the property returned to him if notice is not sent within the prescribed time frames. The defendant further agrees to the forfeiture of any substitute assets up to the value of any property described above pursuant to 21 U.S.C. § 853(p) and Federal Rules of Criminal Procedure 32.2(e).

Forfeiture of the defendant's assets shall not be treated as satisfaction of any fine, restitution, cost of imprisonment, or any other penalty this Court may impose upon the defendant in addition to forfeiture.

The United States Attorney's Office for the District of Colorado will recommend to the Attorney General that any net proceeds derived from the sale of the judicially forfeited assets be remitted or restored to eligible victims of the offense, for which the defendant has pleaded guilty, pursuant to 18 U.S.C. § 981(e), 28 C.F.R. pt. 9, and any other applicable laws, if the legal requirements for recommendation are met and to relay any such payments made to victims through remission or restoration to the Clerk of Court to be offset against restitution. The defendant understands that the United States Attorney's Office only has authority to recommend such relief and that the final decision of whether to grant relief rests solely with the Department of Justice, which will make its decision in accordance with applicable law.

II. ELEMENTS OF THE OFFENSE

A. Count 1 (Wire Fraud Conspiracy)

The parties agree that the elements of Count 1, a violation of 18 U.S.C. § 1349, Wire Fraud Conspiracy, are as follows:

1. two or more persons agreed to commit mail and wire fraud, in violation of 18 U.S.C. §§ 1341 and 1343;
2. the defendant joined the agreement knowing its purpose and with intent to further the illegal purpose; and
3. there was interdependence among the members of the conspiracy.

Tenth Circuit Crim. J.I. §, 2.73.1 (2021 ed); *United States v. Fishman*, 645 F.3d 1175, 1186-87 (10th Cir. 2011) (stating elements and finding no overt act requirement for a 1349 conspiracy).

The parties further agree that the elements of the underlying offense, wire fraud in violation of 18 U.S.C. § 1343, are:

(1) The defendant devised or intended to devise a scheme to defraud, as alleged in the Indictment;

(2) The defendant acted with the specific intent to defraud;

(3) The defendant used, or caused another person to use, interstate or foreign mailings or wires for the purpose of carrying out the scheme; and

(4) The scheme employed false or fraudulent pretenses, representations, or promises that were material.

Tenth Circuit Pattern Jury Instructions (Criminal), § 2.57 Wire Fraud (2021).

B. Count 8 (Money Laundering Conspiracy)

The parties agree that the elements of Count 8, a violation of 18 U.S.C. § 1956(h), Money Laundering Conspiracy, are as follows:

1. the defendant agreed with at least one other person to commit money laundering in violation of 18 U.S.C. § 1956(a)(1)(A)(i) (Promotion) and 18 U.S.C. §1956(a)(1)(B)(i) (Concealment);

2. the defendant knew the essential objectives of the conspiracy;

3. the defendant knowingly and voluntarily participated in the conspiracy; and

4. there was interdependence among the members of the conspiracy; that is, the members, in some way or manner, intended to act together for their shared mutual benefit within the scope of the conspiracy charged.

Tenth Circuit Pattern Jury Instructions for Conspiracy, § 2.19 (2021) (modified) (no 10th Circuit Pattern Instruction); *see* 18 U.S.C. § 1956(h); *United States v. Keck*, 643 F.3d 789, 794 (10th Cir. 2011); *United States v. Fishman*, 645 F.3d 1175, 1187 (10th Cir. 2011); *Whitfield v. United States*, 543 U.S. 209, 215-216 (2005) (there is no overt act requirement for a 1956(h) conspiracy).

The parties agree that the elements of the first object of the conspiracy, Money Laundering (Concealing Illegal Proceeds), a violation of 18 U.S.C. § 1956(a)(1)(B)(i), are as follows:

1. the defendant conducted a financial transaction;

2. the transaction involved the proceeds of wire fraud;

3. the defendant knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity; and

4. the defendant conducted the financial transaction knowing it was designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of unlawful activity.

See 10th Cir. Crim. J.I. § 2.73.1, *United States v. Gonzalez*, 918 F.3d 808, 812 (10th Cir. 2019).

The parties agree that the elements of the second object of the conspiracy, Money Laundering (Spending), a violation of 18 U.S.C. § 1957, are as follows:

1. the defendant engaged in a monetary transaction;
2. the defendant knew that the transaction involved property or funds that were the proceeds of some form of criminal activity;
3. the property had a value of more than $10,000;
4. the property was in fact the proceeds of wire fraud; and
5. the transaction took place in the United States.

See United States v. Huff, 641 F.3d 1228, 1231 (10th Cir. 2011).

III. STATUTORY MAXIMUM SENTENCE

The maximum sentence for a violation of Count 1 of the Indictment is: not more than 20 years' imprisonment; maximum fine of not more than $250,000 or twice the gross pecuniary gain or loss resulting from the offense, or both fine and imprisonment; not more than three years of supervised release; $100 mandatory victim's fund assessment fee; and restitution.

The maximum sentence for a violation of Count 8 of the Indictment is: not more than 20 years' imprisonment; maximum fine of not more than $500,000 or twice the value of the property involved in the transaction, whichever is greater, or both fine and imprisonment; not more than three years of supervised release; $100 mandatory victim's fund assessment fee; and restitution.

IV. COLLATERAL CONSEQUENCES

The conviction may cause the loss of civil rights, including, but not limited to, the rights to possess firearms, vote, hold elected office, and sit on a jury. The conviction may cause the defendant to be deported and removed from the United States, or confined indefinitely if there is no country to which the defendant may be deported, denied future admission into the United States, and/or to be denied citizenship.

V. STIPULATION OF FACTS

The factual basis for this plea is set forth below. Because the Court must, as part of its sentencing methodology, compute the advisory guideline range for the offense of conviction, consider relevant conduct, and consider the other factors set forth in 18 U.S.C. § 3553, additional facts may be included below which are pertinent to those considerations and computations. To the extent the parties disagree about the facts set forth below, the stipulation of facts identifies which facts are known to be in dispute at the time of the execution of the plea agreement.

This stipulation of facts does not preclude either party from presenting non-contradictory additional facts which are relevant to the Court's guideline computation, to other 18 U.S.C. § 3553 factors, or to the Court's overall sentencing decision.

The parties stipulate that the following facts are true and correct.

A. Background on certain COVID-19 relief programs

In March 2020, Congress enacted the Coronavirus Aid, Relief, and Economic Security ("CARES") Act. It expanded state unemployment insurance (UI) benefits by providing additional federal funding and provided emergency assistance to small business owners suffering adverse economic effects caused by the COVID-19 pandemic. It also provided funding for small businesses affected by the COVID-19 pandemic through the Paycheck Protection Program ("PPP") and the Economic Injury Disaster Loan ("EIDL") program, each administered by the United States Small Business Administration ("SBA").

B. The Defendant and Conspirators

At all relevant times, Adepoju Salako was a resident of Philadelphia, Pennsylvania and sole owner of Tudor Smart Phones & Accessories LLC, a Pennsylvania-registered limited liability company. Conspirator 1 and other unnamed coconspirators primarily resided in Nigeria.

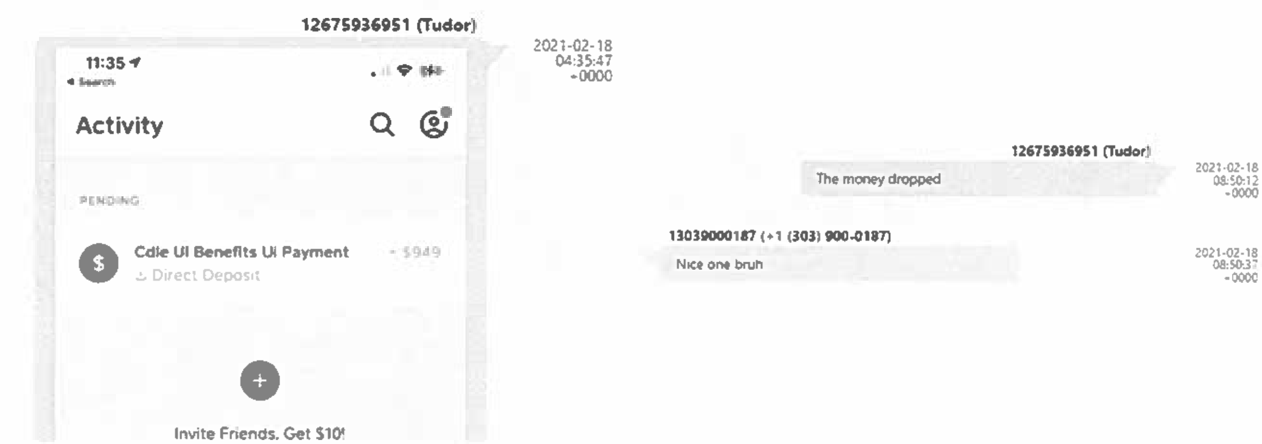
C. Fraud Conspiracy Involving Salako and Conspirator 1

After the CARES Act authorized EIDL and PPP funding and expanded federal funding for UI benefits, Salako and Conspirator 1 acted interdependently to request CARES Act funding of over $700,000. They obtained approximately $73,506.16, all of which was deposited to bank accounts controlled by Salako. They used information of identity theft victims to fraudulently obtain PPP loans and benefits from multiple state UI benefit programs (including Colorado). They also submitted fraudulent applications for Economic Injury Disaster Loans (EIDL), for which the intended loss was $681,855.50. The applications submitted include the following:

Program	Dates	Loss (Actual and Intended)	Victim
EIDL	Jan.-Oct. 2021	$681,855.50 (intended)	SBA
PPP	Feb. 2021	$30,625 (actual)	SBA
UI (Colorado)	2020-2021	$16,080 (actual)	CDLE

UI (Other States)	2020-2021	$26,801.16 (actual)	Maryland, New York
Total		$755,361.66	

Salako and Conspirator 1 used the WhatsApp messaging service to exchange messages, documents, and information about the conspiracy, including to exchange stolen or false identities and to share bank account details for use on fraudulent applications. For example, on February 18, 2021, Conspirator 1 messaged Salako a screenshot of a fraudulent UI application submitted to the CDLE that he had directed to a bank account controlled by Salako but in the name of identity-theft victim M.C. Salako then texted Conspirator 1 a screenshot showing the deposit into the M.C. bank account, and letting Conspirator 1 know that the "money dropped," to which Conspirator 1 responded "Nice one bruh."



Salako and Conspirator 1 used an email forwarding service known as 33mail to create multiple usernames on custom email domains. Although the email addresses appeared to be unique and refer to different individuals, 33mail allowed all the usernames on the same domain to forward emails to the same email address. As one example, Salako used multiple usernames on two different 33mail domains—

tudor31620.33mail.com and homerealtor.33mail.com—but all usernames on each domain forwarded to one of two gmail accounts Salako linked to the 33mail domain.

The following 11 fraudulent UI claims were submitted by Salako to the CDLE:

STATE_ID	Victim	Email used	Amount Paid
CO	A.W.	[WA]163@GMAIL.COM	0
CO	V.H.	[V]@TUDOR31620.33MAIL.COM	649
CO	K.L	TSMARTGADGETS@GMAIL.COM	0
CO	P.H.	[P6H]@HOMEREALTOR.33MAIL.COM	0
CO	M.J.	[MLJ]@TUDOR31620.33MAIL.COM	0
CO	M.W.	[MPW]@HOMEREALTOR.33MAIL.COM	0
CO	M.S.	[MS]@TUDOR31620.33MAIL.COM	0
CO	M.M.	[MM]@HOMEREALTOR.33MAIL.COM	0
CO	V.H.	[H]@TUDOR31620.33MAIL.COM	0
CO	E.J.	[EJ]@TUDOR31620.33MAIL.COM	0
CO	D.A.	[DA]@TUDOR31620.33MAIL.COM	0
CO	C.C.	[CC]@TUDOR31620.33MAIL.COM	0

Along with submitting his own fraudulent applications for UI benefits, Salako aided and abetted Conspirator 1 by sharing Salako's bank account numbers, phone number, and other identifiers with Conspirator 1. Conspirator 1 then would list Salako's information on fraudulent loan and UI benefit applications. Salako and Conspirator 1 also discussed strategies for evading anti-fraud measures, such as the following:

13039000187 (+1 (303) 900-0187)
The update is simple. Colorado only accpet once account per claimant Cash app is now accepted They only pay once . then do their investigation
2021-02-12 05:57:15 +00:00

12675936951 (Tudor)
True
2021-02-12 05:57:35 +00:00

12675936951 (Tudor)
But how can we find the loophole to continue payment
2021-02-12 05:57:56 +00:00

12675936951 (Tudor)
That's the deal now
2021-02-12 05:58:11 +00:00

12675936951 (Tudor)
I feel like giving them a call should do
2021-02-12 05:58:27 +00:00

13039000187 (+1 (303) 900-0187)
How we beat the system - open cash app everyday - try if them go still pay old one . Move on if they don't - keep running one per week
2021-02-12 05:58:29 +00:00

Between January 24, 2021 and May 19, 2021, Conspirator 1 submitted at least 54 additional fraudulent applications for UI benefits to the CDLE, using stolen or false identities and directing that the CDLE deposit payments to accounts controlled by Salako. The CDLE approved 7 of these fraudulent claims and paid $15,431 in UI benefits to Salako-controlled bank accounts.

Between January 16, 2021 and April 26, 2021, Salako submitted 10 fraudulent applications for EIDLs to the SBA requesting approximately $287,422.50 and aided and abetted Conspirator 1 in submitting three additional EIDL applications requesting approximately $450,000.

On February 11, 2021, Salako aided and abetted Conspirator 1 in submitting a fraudulent PPP loan application in the name of Turn-Turn-Turn Woodturning using the stolen identity of D.P., a resident of Nevada. The application listed a bank account and phone number belonging to Salako. The application provided false information about the identity of the person submitting the application and the business's operations. On February 12, 2021, a lender approved the application based on the false representations and disbursed $30,625 to a Discover Bank account in the name of Salako.

Salako's actions of submitting fraudulent applications for EIDL and UI funding and in aiding and abetting Conspirator 1's submission of fraudulent applications for EIDL, PPP, and UI funding caused interstate wires, including payment wires from the SBA's finance center in Colorado to processing sites outside of Colorado. During the course of the wire fraud conspiracy conducted by Salako and Conspirator 1, the actual loss as well as restitution from all the fraudulent applications submitted was $73,506.16 and actual and intended loss was $755,361.66.

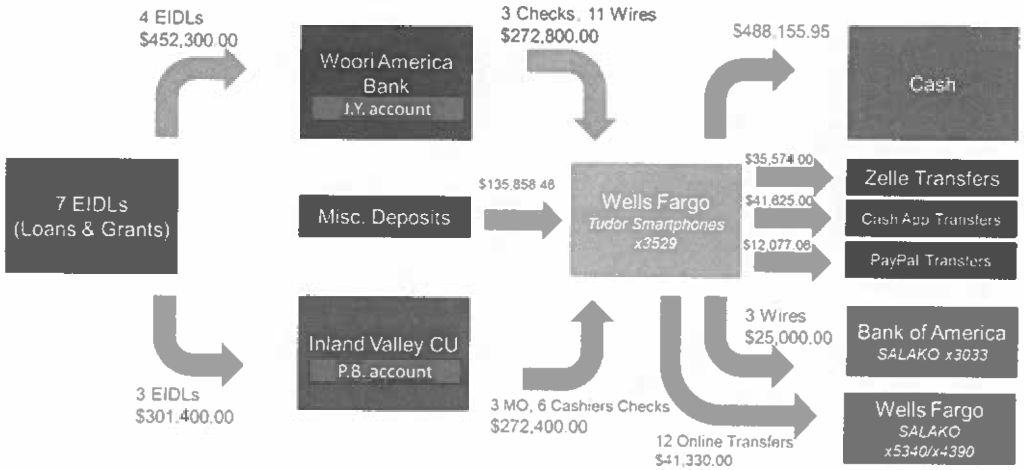
D. Money Laundering Conspiracy Involving Salako and Unnamed Conspirators

1. Overview of conspiracy and total value of laundered funds

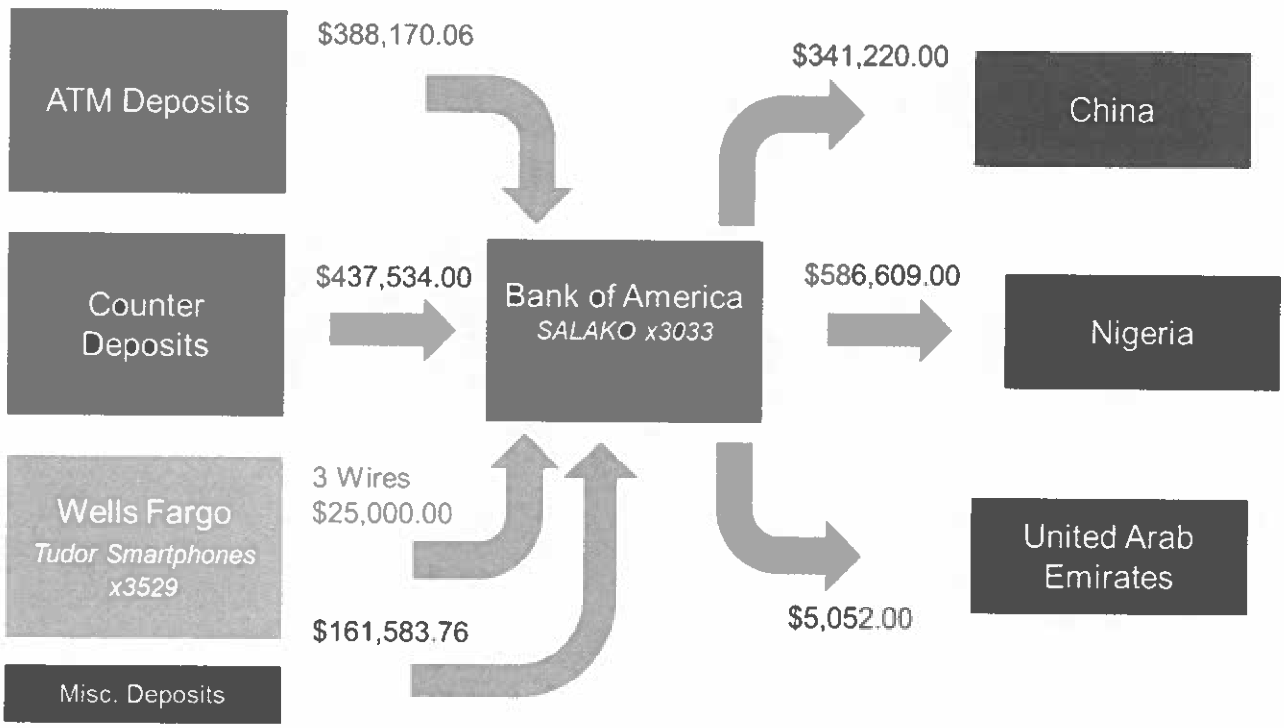
Other unnamed co-conspirators located primarily in Nigeria also applied for EIDL, PPP, and UI funding using stolen or fake identities and used Salako to launder their fraud proceeds for a fee. As a result of fraudulent applications, Salako's coconspirators obtained approximately $4,711,200 in EIDL funding, $893,771.34 in UI funding, and $17,708 in PPP funding. Of this UI funding, $85,446 came from fraudulent applications submitted to the CDLE. To obtain this amount of funding, co-conspirators submitted EIDL applications using over 1,000 stolen or fake identities and submitted fraudulent UI benefit claims to approximately 30 different states.

2. Involvement of romance scam victims

Two romance fraud victims, J.Y. and P.B. received over $800,000 in fraud proceeds, most of which they sent to Salako. For example, J.Y. received approximately $452,300 in EIDL proceeds and P.G. received approximately $301,400, the majority of which was sent to Salako by wire transfer or mailed cash or checks. To launder the money, Salako first deposited the money in a business checking account at Wells Fargo in the name of his LLC, Tudor Smartphones:



He then withdrew the majority of the laundered funds as cash before depositing it in his personal account at Bank of America to add an additional step to conceal the source and destination of funds, before transferring most of the money overseas:



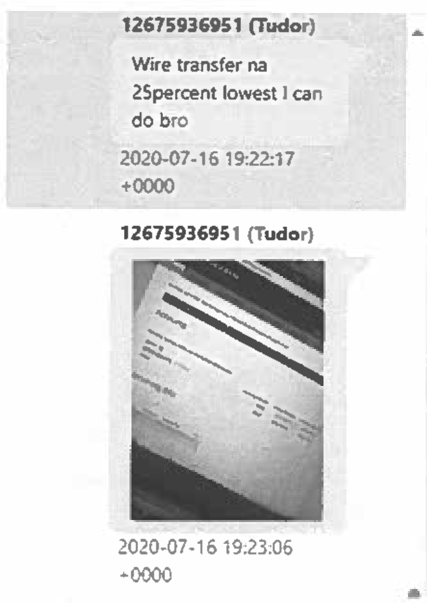
3. <u>Salako's roles in money laundering conspiracy</u>

Salako's roles in the money laundering conspiracy included:

- Directly receiving fraud proceeds from government entities to bank accounts in his own name,

- Directly receiving fraud proceeds from government entities to bank accounts in other names after he opened up fraudulent bank accounts using PII of identity theft victims, and
- Receiving money from romance fraud victims by wire transfers and mailed cash and checks.

After Salako received the money, he laundered fraud proceeds through multiple accounts before eventually sending laundered proceeds overseas. Salako received a fee, ranging from 25% to 60% of the funds he laundered, in exchange for his money laundering services. In one example, Salako transmitted a screenshot of wires he received from romance fraud victim J.Y., and stated that he would take a fee of 25% for his laundering services, which was the "lowest I can do bro":



Because many of the co-conspirators behind this large-scale fraud were located overseas, Salako played an important role of creating a false appearance to government entities or romance fraud victims that the money was for the benefit of persons or businesses located in the United States, when it was always intended to benefit fraudsters located overseas.

4. Knowledge of unlawful activity

At all relevant times while conducting financial transactions, including the deposits, withdrawals, and transfers above, Salako knew that the money was derived from unlawful activity, namely wire fraud. He also knowingly conducted transactions that were designed to conceal the nature, location, source, ownership, and control of wire fraud proceeds, and knowingly conducted multiple transactions with a value exceeding $10,000.

5. Value of laundered funds and restitution related to money laundering conspiracy

The parties agree that, for purposes of § 2S1.1, the proper calculation of the value of laundered funds known at this time to be involved in the charged money laundering conspiracy is $4,084,689.22, which includes (a) wire fraud proceeds obtained through the PPP, EIDL, and state UI programs, (b) that also were involved in laundering transactions by members of the conspiracy within the meaning of § 2S1.1 app. note 1:

Program	Actual Loss
EIDL	$ 4,651,200.00
EIDG	$ 60,000.00
PPP	$ 17,708.00
UI	$ 893,771.34
Total	**$ 5,708,125.34**

During Salako's involvement in the conspiracy, he agrees that he was in the business of laundering funds; that is, he regularly engaged in laundering funds, over an extended period of time, from multiple sources, and generated a substantial amount of fees in return for laundering funds.

VI. ADVISORY GUIDELINE COMPUTATION

The parties understand that the imposition of a sentence in this matter is governed by 18 U.S.C. § 3553. In determining the particular sentence to be imposed, the Court is required to consider seven factors. One of those factors is the sentencing range computed by the Court under advisory guidelines issued by the United States Sentencing Commission. In order to aid the Court in this regard, the parties set forth below their estimate of the advisory guideline range called for by the United States Sentencing Guidelines. To the extent that the parties disagree about the guideline computations, the recitation below identifies the matters which are in dispute.

The Guideline calculation below is the good-faith estimate of the parties, but it is only an estimate. The parties understand that the government also has an independent obligation to assist the Court in making an accurate determination of the correct guideline range. To that end, the government may argue that facts identified in the presentence report, or otherwise identified during the sentencing process, affect the estimate below.

Wire Fraud Conspiracy with Conspirator 1 (Count 1)

A. The base guideline is § 2B1.1, with a base offense level of 7. § 2B1.1(a)(1).

B. A 14-level enhancement applies because the loss was more than

$550,000 but less than $1,500,000. § 2B1.1(b)(1)(H).

C. A 2-level increase applies because offense involved 10 or more victims pursuant to § 2B1.1(b)(2)(A).

D. A 2-level increase applies because a substantial part was committed outside the United States. § 2B1.1(b)(10).

E. A 2-level increase applies because the offense involved possession and use of an authentication feature. § 2B1.1(b)(11).

Money Laundering Conspiracy with Unnamed Conspirators (Count 8)

F. The base guideline is §2S1.1. Because the defendant would be accountable for the underlying offense as someone who aided and abetted the offense under § 1B1.3(a)(1)(A), the offense level is determined by the underlying offense, here wire fraud, which results in a base offense level of **30** (based on the underlying wire fraud offense). § 2S1.1(a)(1), based on the following:

i. From the base offense level of 6,[1] an 18-level enhancement applies because the loss was more than $3,500,000 but less than $9,500,000. § 2B1.1(b)(1)(J).

ii. A 2-level increase applies because offense involved 10 or more victims pursuant to § 2B1.1(b)(2)(A).

iii. A 2-level increase applies because a substantial part was committed outside the United States. § 2B1.1(b)(10).

iv. A 2-level increase applies because the offense involved possession and use of an authentication feature. § 2B1.1(b)(11).

G. The defendant should receive a 4-level increase because he is pleading guilty under 18 U.S.C. § 1956 and was in the business of laundering funds. § 2S1.1(b)(2)(C).

Combined Sentence

H. The total adjusted offense level is 34, pursuant to § 3D1.2(d).

[1] The base offense level is 6 rather than 7 because money laundering is not "an offense referenced to" the § 2B1.1 guideline. *See United States v. Osuji*, 413 F. App'x 603, 613 (4th Cir. 2011).

I. There are no Chapter 3 victim-related, obstruction, and/or role adjustments.

J. The defendant should qualify for a 2-level reduction applicable to certain zero-point offenders who meet designated criteria. § 4C1.1.

K. The defendant should receive a 3-level reduction for acceptance of responsibility. § 3E1.1(b).

L. The adjusted offense level based on the government's calculation is 29.

M. The parties understand that the defendant's criminal history computation is tentative. The criminal history category is determined by the Court based on the defendant's prior convictions. Based on information currently available to the parties, it is estimated that the defendant's criminal history category would be I.

N. The career offender/criminal livelihood/armed career criminal adjustments would not apply.

O. The advisory guideline range resulting from these calculations is 87-108 months. However, in order to be as accurate as possible, with the criminal history category undetermined at this time, the offense level(s) estimated above could conceivably result in a range from 87 months (bottom of Category I) to 188 months (top of Category VI). The guideline range would not exceed, in any case, the statutory maximum applicable to the count of conviction.

P. Pursuant to guideline § 5E1.2, assuming the estimated offense level above, the fine range for this offense would be $30,000 to $300,000, plus applicable interest and penalties.

Q. Pursuant to guideline § 5D1.2, if the Court imposes a term of supervised release, that term is at least 1 year, but not more than 3 years.

R. Pursuant to guideline §5E1.1(a)(1), the Court shall enter a restitution order for the full amount of the victims' losses.

The parties understand that the Court is free, upon consideration and proper application of all 18 U.S.C. § 3553 factors, to impose that reasonable sentence which it deems appropriate in the exercise of its discretion and that such sentence may be less than that called for by the advisory guidelines (in length or form), within the advisory guideline range, or above the advisory guideline range up to and including imprisonment for the statutory maximum term, regardless of any computation or position of any party on any 18 U.S.C. § 3553 factor.

VII. ENTIRE AGREEMENT

The agreement disclosed to the Court is the entire agreement. There are no other promises, agreements or "side agreements," terms, conditions, understandings, or assurances, express or implied. In entering this agreement, neither the government nor the defendant has relied, or is relying, on any other terms, promises, conditions or assurances.

9/24/25
Date

ADEPOJU SALAKO
Defendant

9/24/25
Date

MICHAEL BECKER
Attorney for Defendant

11/3/25
Date

CRAIG FANSLER
Assistant U.S. Attorney